

## **EXHIBIT A**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
EASTERN DIVISION

Civil No. 3:22-CV-00093-PDW-ARS

Jessica Allen, individually and on behalf  
of the Heirs at Law of Lacey Higdem,

Plaintiff,

v.

Myles Brunelle, in his individual  
capacity; April Azure, in her individual  
capacity; Rolette County; Roy Cordy,  
MD; and Presentation Medical Center,

Defendants.

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) **DEFENDANTS MYLES BRUNELLE, IN**  
) **HIS INDIVIDUAL CAPACITY, APRIL**  
) **AZURE, IN HER INDIVIDUAL**  
) **CAPACITY, AND ROLETTE COUNTY’S**  
) **RULE 68 OFFER OF JUDGMENT**  
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Pursuant to Rule 68 of the Federal Rules of Civil Procedure and other applicable law, Defendants Myles Brunelle, in his individual capacity, April Azure, in her individual capacity, and Rolette County (collectively “County Defendants”) hereby offer to compromise and settle all claims by Plaintiff Jessica Allen, individually and on behalf of the Heirs at Law of Lacey Higdem (“Plaintiff”) against County Defendants in the above-entitled lawsuit in accordance with the following terms and conditions.

1. County Defendants offer Plaintiff the sum of Two Million Dollars and Zero Cents (\$2,000,000.00), inclusive of all attorneys’ fees and costs incurred by Plaintiff and prejudgment interest accrued to the date of this offer, in exchange for Plaintiff’s dismissal with prejudice of all claims against County Defendants in this case. County Defendants will allow judgment to be entered against them for such amount.

At the time of service of this offer of judgment, County Defendants’ motion for summary


judgment (Doc. 75) requesting summary dismissal of all Plaintiff's lawsuit claims against County Defendants has been filed with the District Court and is pending the Court's decision. Should the District Court grant summary judgment in favor of County Defendants or any of them as to any of Plaintiff's lawsuit claims on the date of service of this offer of judgment or within fourteen (14) days thereafter, this offer of judgment shall be considered withdrawn, null, and void, without any notice from County Defendants to Plaintiff.

This offer of judgment, which is submitted in accordance with Rule 68 of the Federal Rules of Civil Procedure, must be accepted within fourteen (14) days of service or it will be deemed withdrawn, and evidence thereof is not admissible except in a proceeding to determine costs.

County Defendants further advise Plaintiff that should this offer of judgment be rejected, they shall, upon prevailing in the litigation or upon Plaintiff obtaining a judgment that is not more favorable than the unaccepted offer, seek from Plaintiff all costs incurred in the defense of this lawsuit, to the extent allowed by the Court.

Dated this 18th day of March, 2025.

BAKKE GRINOLDS WIEDERHOLT

By: 

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Attorneys for Defendants Myles Brunelle, in his individual capacity; April Azure, in her individual capacity; and Rolette County.

**CERTIFICATE OF SERVICE**


I hereby certify that on March 18, 2025, true and correct copy of the foregoing **DEFENDANTS MYLES BRUNELLE, IN HIS INDIVIDUAL CAPACITY, APRIL AZURE, IN HER INDIVIDUAL CAPACITY, AND ROLETTE COUNTY'S RULE 68 OFFER OF JUDGMENT** was emailed to the following:

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GRANT T. BAKKE